

Supplement to  
**The Colonial Newsletter**

Volume 30, No. 3 — October, 1990 — Serial No. 86

**New York City — Mayor's Court Minutes**  
**Cases Relating to Early American Coiners**  
**& Coiner Associations**

Transcribed by Gary A. Trudgen  
with a Legal Terms Addendum  
by  
Michael Hodder

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**MAYOR'S COURT MINUTES - NEW YORK CITY**  
**Microfilm #1021728**

James Duane - Mayor  
 Richard Varick - Recorder

**February 24, 1784**

James Giles Vs Thomas Mills	The sheriff returns the defendant in custody On Motion of Mr. Giles for the plaintiff Ordered that the defendant plead in seven days after service of a copy of the declaration and this rule on sheriff or his deputy or defendant in Custody or Judgement
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**March 9, 1784**

Thomas Mills Vs James Giles	On Motion of Mr. Hamilton Ordered that his appearance for the defendant be entered
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**March 23, 1784**

James Giles the Elder Vs Thomas Mills	On Tryal Assault & Battery  Jury returned find a Verdict for the plaintiff Damages 250 pounds with costs
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**April 13, 1784**

James Giles the Elder Vs Thomas Mills	The sheriff returns that by virtue of the fi fa he hath levied to the value of 5 shillings which remain unsold for want of buyers
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**May 11, 1784**

James Giles the Elder Vs Thomas Mills	On motion of Mr. Giles Ordered that the sheriff returns the Vind. Expo. and Ca. Sa. for a resid. by next term or be amerced.
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**May 25, 1784**

John Morgan Vs William Alexander and Samuel Atlee	The sheriff returns the defendant taken On Motion of Mr. W. S. Livingston for the plaintiff Ordered the defendant file special bail in eight days or that the bail bond be assigned and after bail paid in that he plead in seven days after the declaration is filed or Judgement.
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James Giles the Elder Vs Thomas Mills	Vind. expo. et ca. sa. pro resid. not being returned
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William Alexander and Samuel Atlee Vs John Morgan	On Motion of Mr. Davis for the defendant Ordered that his appearance be entered
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**June 15, 1784**

John Grier, David Brooks, and James Grier Vs Joseph Brown, Sr.	The sheriff returns the defendant not found Ordered that an alu. issue
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**June 29, 1784**

John Grier, David Brooks, and James Grier Vs Joseph Brown, Sr.	The sheriff returns the defendant not found
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**July 27, 1784**

William Alexander and Samuel Atlee Ads John Morgan	On motion of Mr. Giles for the defendants Ordered that he be made attorney for the defendants in room of Mr. Davis and that the plaintiff declare by next term or be nonprossed
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**September 7, 1784**

James Brebner & Andrew Brown Ads	On motion of Mr. Burr for the defendants Ordered that his appearance be entered
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Thomas Goadsby,  
Thomas Holmes, Joseph Holmes,  
Samuel Kirkman, and  
Maria Kirkman

Joseph Holmes, Thomas Holmes, Thomas Goadsby, Samuel Kirkman, & Maria Kirkman Vs James Brebner & Andrew Brown	The sheriff returns the defendant taken on like motion Ordered that the sheriff bring in the body sitting the court or be amerced forty shillings and that the defendant plead in seven days after the declaration is filed or Judgement * Attorney: Hamilton for plaintiffs
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John Grier, David Brooks, and James Grier Vs Joseph Brown Sr.	* The same. Attorney: Keese for the plaintiffs
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**September 28, 1784**

John Grier, David Brooks, and James Grier Vs Joseph Brown Sr.	On Motion of Mr. Keese for the plaintiffs Ordered Judgement for want of a plea and that a writ of Inquiry be awarded
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**October 12, 1784**

John Grier, David Brooks, and James Grier Vs Joseph Brown Sr.	The sheriff returns the writ of Inquiry with an Inquisition thereunto annexed whereby the Jury find for the plaintiffs £ 16.10 damages and 6 pence costs. On Motion of Mr. Keese Attorney for the plaintiffs Ordered Judgement nisi
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**January 4, 1785**

James Brebner and Andrew Browne Adv Thomas Goadsby, Thomas Holmes, Joseph Holmes, Samuel Kirkman, and Maria Kirkman	On Motion of the same Ordered that the rule to plead be enlarged to ten days from this Term
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**February 22, 1785**

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Samuel Atlee one of the persons named in an act entitled "An Act to Naturalize Certain Persons Therein Named" came into Court and took and subscribed the Oath of Allegiance to this State, and abjured and renounced all allegiance and subjection to all and every Foreign King Prince Potentate and State in all matters Ecclesiastical as well as civil.

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**March 22, 1785**

John Morgan Vs William Alexander and Samuel Atlee	Discontinued
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Richard Morgan Vs William Alexander and Samuel Atlee	Discontinued
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**April 19, 1785**

Ebenezer Mather Ads Thomas Matchin	On Motion of Mr. Ogilvie for the defendant Ordered that his appearance be entered
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Ebenezer Mather Vs Thomas Matchin	* The same. Attorney: Ogilvie for the plaintiff.
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Thomas Machin Vs Ebenezer Mather	* The same. Attorney: Giles for the plaintiff.
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Thomas Machin Ads Ebenezer Mather	On Motion of Mr. Giles Ordered that his appearance for the Defendant be entered
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**June 7, 1785**

Moses Rogers and	* The same.
John Murray, Junr.	Attorney: Keese for the plaintiffs.
Vs	
John Bailey	

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**July 5, 1785**

Maria Kirkman,	* The same.
Joseph Holmes,	The like action and rules on Motion of
Samuel Kirkman,	the same
Thomas Holmes, and	
Thomas Goadsby	
Vs	
Francis Groome	

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Moses Rogers and	On Motion of Mr. Keese for the
John Murray, Junr.	plaintiffs Ordered Judgement for want
Vs	of a plea and that a writ of Inquiry be
John Bailey	awarded

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**August 23, 1785**

Joseph Holmes,	On Motion of Mr. Hamilton for the
Thomas Holmes,	plaintiffs and with consent of Mr. Burr
Thomas Goadsby,	for the defendants Ordered that the
Samuel Kirkman,	Sheriff return the venire and that the
and Maria Kirkman	trail be brought on
Vs	
James Brebner and	
Andrew Brown	

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The Jury having withdrawn and being again returned to the bar say that they find for the plaintiffs 19 pounds, 19 shillings, 8 pence damages and 6 pence costs On Motion of Mr. Hamilton Ordered Judgement

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Jacob Delamontanie	The sheriff returns William Coley taken
by John Loudon his	the other defendants not found on like
guardian	motion Ordered the like rules as to
Vs	William Coley
Daniel Van Voorhis,	
Simon Alexander Bailey,	
and William Coley	

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James Fraim	On Motion of Mr. Giles for the
Vs	plaintiff and by consent of parties
John Bailey	Ordered that this cause be referred to
	Daniel Niven John Bancker and John

Stagg or any two of them and that they make report sitting the Court whereupon the said referees after due consideration of the Evidence make their report in writing in the words following, to wit, We the referees within named do find for the plaintiff the sum of 17 pounds 15 shillings and 9 pence halfpenny with costs - 24 August 1785 Daniel Niven John Bancker John Stagg - On Motion of Mr. Giles Ordered Judgement

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George Olive Assignee	* The same.
of Samuel Atlee, William	
Alexander, John Perkins,	
James Atlee, William Thompson,	
and Alexander Reed	
Vs	
Edward McGinn	

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### September 20, 1785

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George Olive Assignee	On like motion Ordered Judgement for
of Samuel Atlee,	want of a plea and that a writ of
William Alexander,	Inquiry issue
John Perkin, James	Attorney: Giles for the plaintiffs.
Atlee, William	
Thompson, and Alexander Reed	
Vs	
Edward McGinn	

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### October 11, 1785

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John Bailey, juror, in the case of Hayman Levy versus Angus Nicholson.

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George Olive Assignee	On motion of Mr. Giles for the
of Samuel Atlee etc	plaintiffs Ordered Judgement
Vs	
Edward McGinn	

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James Grier, David	* The same.
Brooks, & John Grier	
Vs	
Joshua Isaacs	

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**November 8, 1785**

John Conway Vs Samuel Atlee, William Alexander, John Perkin, and James F. Atlee	The sheriff returns the defendants Samuel Atlee, William Alexander, and James F. Atlee taken the other defendant not found On Motion of Mr. Laurance for the plaintiff Ordered that the sheriff bring in the body of the defendants taken sitting the Court or be amerced 40 shillings and that they plead in 7 days after the declaration is filed or Judgement against all the defendants
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Sarah Van Solinger sole ? of Gerardus Van Solinger dec'd Vs John Bailey	* The same.
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George Olive Assignee of Samuel Atlee, William Alexander, John Perkin, James Atlee, William Thompson, Alexander Reed Vs Edward McGinn	The sheriff returns the fi fa and that he hath levied the goods and chattels lands & tenements of the defendant to the value of 5 pounds which remain in his hands unsold for want of buyers On Motion of Mr. Giles Ordered that a Venditionis Espensas issue
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John Bailey Adsm Sarah Van Solinger sole ? of Gerardus Van Solinger dec'd	On Motion of Mr. Hughes Ordered that his appearance for the defendant be entered
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**December 8, 1785**

James Giles Esquire Vs William Alexander	* The same. Attorney: Cunishier for the plaintiff.
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George Olive Assignee of Samuel Atlee and others Vs Edward McGinn	The sheriff having seized sundry goods of the defendant in this Cause and sold the same upon venditionsi expensas the same prior to the sale being seized and claimed for rent by Thomas Price. It is Ordered on motion of Mr. Cozine for the said Thomas Price that the sheriff pay the said monies in the hands of the said Thomas Price. The said motion not to be opposed by Mr. Giles the attorney of the plaintiffs.
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John Conway Vs Samuel Atlee, William Alexander, John Perkin, and James F. Atlee	On Motion of the same Ordered Judgement for want of a plea and that a writ of Inquiry issue
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Abraham Brevoort Vs Samuel Atlee	* The same. Attorney: Bond for the plaintiff.
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John Grier, David Brooks, and James Grier Vs George Leaycraft and Alexander Graham	* The same. Attorney: Giles for the plaintiffs.
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Albion Cox, George Olive & John Jarvis Adsm Simeon A. Bayley	On motion of Mr. Giles Ordered that his appearance for the defendant be entered
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Albion Cox Vs Simeon A. Bayley	On Motion of Mr. Giles Ordered that his appearance for the defendant be entered
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Samuel Atlee and others Adsm John Conway	On motion of Mr. Giles Ordered that his appearance for the defendant be entered
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George Olive Assignee of Samuel Atlee, William Alexander, John Perkin, James Atlee, William Thompson, and Alexander Reed Vs Edward McGinn	The sheriff returns the Venditionis Espensas
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Simeon Alexander Bayley	* The same.
Vs	Attorney: Cutting for the plaintiff
Albion Cox	

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Simeon Alexander Bayley	* The same.
Vs	
Albion Cox, George	Attorney: Cutting for the plaintiff
Olive, & John Jarvis	

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**January 3, 1786**

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Ebenezer Mather	The sheriff returns the defendant in
Vs	custody on Ca Sa on like motion Ordered
Thomas Machin	that the writ be filed and that the
	defendant committed

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Abraham Brevoort	Mr. Giles pursuant to a warrant of
Vs	Attorney for that purpose from the
Samuel Atlee	Defendant confesses Judgement to the
	plaintiff for 27 pounds 9 shillings and
	6 pence with costs of suit to be taxed
	with stay of execution for four weeks
	On Motion of Mr. Bond for the plaintiff
	Ordered the same to be entered and
	Judgement confirmed

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James Giles	The sheriff returns the defendants not
Vs	found
Christopher Crafts &	
Joseph Adam Fleming	

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**January 31, 1786**

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John Grier, David	Mr. Cuinshier Attorney for the
Brooks, and James	defendants withdraws his plea and
Grier	confesses Judgement to the plaintiffs
Vs	for the sum in the declaration
George Leaycraft	mentioned with costs of suit On Motion
and	of Mr. Giles Attorney for the
Alexander Graham	plaintiffs Ordered that the same be
	entered and Judgement confirmed

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George Olive Assignee	* The same.
of Samuel Atlee and	Attorney: Giles for the plaintiffs
others	
Vs	
James Reid	

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**February 28, 1786**

John Conway Vs Samuel Atlee, William Alexander, John Perkin, and James F. Atlee	Mr. Giles Attorney for the defendants confesses Judgement to the plaintiff for 20 pounds with costs of suit to be taxed On motion of Mr. Laurance Attorney for the plaintiff Ordered that the same be entered and Judgement confirmed
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Walter Mould Vs Andrew Lott	The sheriff returns the defendant not found
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Sarah Van Solinger Exx of Gerardus Van Solinger dec'd Vs John Bailey Smith, and Henry Wyckoff or any two of them and that they or any two of them do make report on the first day of next term	On Motion of Mr. Popham for the plaintiff and by consent of both parties and their Attornies It is Ordered that this cause be referred to the final end and determination of Messers John Shepherd, William Pitt Messers John Shepherd, William Pitt
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George Olive Assignee of Samuel Atlee, William Alexander, John Perkin, James Atlee, William Thompson, and Alexander Reid Vs James Reid	On Motion of Mr. Giles Attorney for the plaintiff Ordered Judgement for want of a plea for the debt in the declaration mentioned with costs of suit
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**March 21, 1786**

Ephraim Brasher Esquire produced a Commission under the Great Seal of the State appointing him Coroner of the city and county of New York - which was read

Ebenezer Mather Vs Thomas Machin	On Motion of Mr. Ogilvie Attorney for the plaintiff and by consent of Mr. Cunishier Attorney for the defendant It is Ordered that this cause be referred to George Janeuray, William Leary, and Anthony Post or any two of them and that they or any two of them report with all convenient speed
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Sarah Van Solinger Exx of G.V. Solinger Vs John Bailey	The referees to whom this cause was submitted make their report in the words following Court We the referees appointed by the Court to determine the matter in controversy beg leave with all due submission to make this our report to the Court. We do find for the plaintiff the sum of 15 pounds 2 shillings with the interest thereon from the 5th November 1785 at which time the Action was commenced together with the costs of suit. All of which is nevertheless humbly submitted to the Court New York March 31, 1786. William Pitt Smith, Myer Myers, John Shepherd which report being read and filed On Motion of Mr. Popham Ordered that Judgement be entered and confirmed thereon.
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**April 11, 1786**

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Francis Raynes and William Olive Vs Albion Cox	* The same. Attorney: Bogert for the plaintiff.
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Francis Raynes, William Olive, & John Jackson Vs Albion Cox	* The same. Attorney: Bogert for the plaintiffs.
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Albion Cox Adsm Francis Raynes & William Olive	On motion of Mr. Giles Ordered that his appearance for the defendant be entered
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Albion Cox Adsm Francis Raynes, William Olive, & John Jackson	On motion of Mr. Giles Ordered that his appearance for the defendant be entered
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**May 9, 1786**

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John Grier, David Brooks, and James Grier Vs George Leaycraft and Alexander Graham	The sheriff returns the defendants in custody on Ca. Sa. On Motion of Mr. Giles for the plaintiff Ordered that the writ be filed and that the defendants stand committed
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**June 6, 1786**

Thomas Thomas Vs George Olive and Albion Cox	* The same. Albion Cox taken. Attorney: Cozine for the plaintiff.
Albion Cox Ads Thomas Thomas	On Motion of Mr. Livingston Ordered that his appearance for the defendant be entered
James Grier, David Brooks, and John Grier Vs Peter Nestle	The sheriff returns the defendant not found
John Bailey Vs James W. Combs	* The same.
John B. Dash Sr. John B. Dash Jr. manuapt's Etc Vs Samuel Atlee	* The same.

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**June 20, 1786**

Albion Cox Adsm Francis Raynes & William Olive	Mr. Giles for the defendant produces the peoples writ of Habias Corpus cum Causa which was read and filed and on his motion Ordered that return thereof be made accordingly
Albion Cox Adsm Francis Raynes, William Olive, & John Jackson	Mr. Giles for the defendant produces the peoples writ of Habias Corpus cum Causa which was read and filed and on his motion Ordered that return thereof be made accordingly
Samuel Atlee Adsm Baltus Dash	On Motion of Mr. Giles Ordered that his appearance for the defendant be entered

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**August 1, 1786**

Samuel Atlee Vs William Gilliland	Discontinued Attorney: Giles
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**August 29, 1786**

Albion Cox Adsm Thomas Thomas	On Motion of Mr. Wm Livingston for the defendant Ordered that the plaintiff file his declaration by the next court or be nonprossed
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Samuel Atlee and James F. Atlee Vs William Gilliland	The sheriff returns the defendant in custody On like motion ordered that the defendant plead in 7 days after the service of a copy of the declaration and this rule on the sheriff his deputy or the defendant in Custody or Judgement Attorney: Giles for the plaintiffs.
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**September 26, 1786**

Samuel Atlee Adsm John B Dash Sr. & John B Dash Jr.	Mr. Giles Attorney for the defendant produces the peoples writ of habias corpus cum cuasa which was read and filed on his motion Ordered that the return thereof be made accordingly
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**October 24, 1786**

James Giles Esquire Vs Samuel Atlee and James F. Atlee	The sheriff returns the defendant Samuel Atlee taken the other defendant not found On motion of Mr. B. Livingston for the plaintiff Ordered that the sheriff bring in the body of the defendant sitting the Court or be amerced 40 shillings and that he plead in 7 days after the declaration is filed or Judgement
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Samuel Atlee, James F. Atlee, and Albion Cox Vs Christopher Duyckinck	* The same. Attorney: Giles for the plaintiffs.
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James Giles Esquire Vs Richard Evans	The sheriff returns the defendant in custody on like motion Ordered that the defendant plead in 7 days after service of a copy of the declaration and this rule on the sheriff his deputy or the defendant in Custody or Judgement
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**December 19, 1786**

James Giles Esquire Vs Richard Evans	The sheriff acknowledges the receipt of the copy of the declaration and rule to plead in this cause On like motion Ordered Judgement for want of a plea and that a writ of Inquiry issue
Samuel Atlee, James F. Atlee, & Albion Cox Vs Christopher Duyckinck	Mr. Keese Attorney for the defendant withdraws his plea and confesses Judgement for the sum in the declaration mentioned with costs of suit to be taxed On motion of Mr. Giles for the plaintiffs Ordered that Judgement be entered and confirmed thereon

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**January 9, 1787**

James Giles Esquire Vs Richard Evans	The plaintiff hath sustained damages for 21 pounds 14 shillings and 6 pence costs. Ordered Judgement nisi
John Lamb Vs Samuel Atlee simul cum etc	* The same. Attorney: Hughes for the plaintiff.

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**March 6, 1787**

Ebenezer Mather Vs Thomas Machin	On Motion of Mr. Ogilive and consent of Mr. Giles it is ordered that this cause be referred to Ezra S. Hommedien, David Brooks, and Joshua Sands.
James Jackson ex dem Ephraim Brasher Vs John Stiles, Morris Earle tenant	The declaration in this cause being filed and the affidavit of the service being read and also filed. It is Ordered on motion of Mr. J. Laurance for the plaintiff that the tenant appear and enter into the general rule in ejectment to confess base entry and ouster by the next Court or that Judgement be entered against the casual ejector

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Ebenezer Mather Vs Thomas Machin	On Motion of Ogilive for the plaintiff and by consent of Mr. Giles for the defendant It is Ordered that this cause be referred to the final end and determination of David Brooks Ezra S. Hommedien and Sands or any two of them and that they or any two of them make report thereof to this court with all convenient speed
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Bob Birch Vs Albion Cox	* The same. Attorney: Keese for the plaintiff
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Bob Birch Adsm Albion Cox	On Motion of Mr. Winter Ordered that his appearance for the defendant be entered
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**April 3, 1787**

Thomas Thomas Vs Albion Cox	* The same. Attorney: Cozine for the plaintiff
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Thomas Thomas Vs Albion Cox	Mr. Cozine Attorney for the plaintiff produces the peoples writ of Procedendo which was read and filed and on his motion ordered that the proceedings go on
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Isaac Clason Vs Thomas Machin	The sheriff returns the defendant taken On Motion of Mr. DeHaert for the plaintiff Ordered that the sheriff bring in the body of the defendant sitting the court or be amerced 40 shillings and that the defendant plead in 7 days after the declaration is filed or Judgement
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James Giles Esquire Vs John Warner	The sheriff returns the defendant not found
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James Giles Vs John Jackson	* The same. Attorney: Cock for the plaintiff
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**May 1, 1787**

Absolam Blackly admitted to practice as an attorney in the Mayor's Court.

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George Stanton	* The same.
Vs	Attorney: Troup for the plaintiff
Samuel Atlee	

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James Giles Esquire	The sheriff returns the defendant not
Vs	found
John Warner	

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**May 29, 1787**

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James Giles Esquire	* The same.
Vs	Attorney: Bogert for the plaintiff
Robert James Livingston	

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Medcef Eden	* The same.
Vs	Attorney: Bogert for the plaintiff
Garret Roorback and James Giles	

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James Giles Esquire	The sheriff returns the defendant not
Vs	found
John Warner	

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Samuel Atlee	On Motion of Mr. Giles Ordered that his
Adsm	appearance for the defendant be entered
George Stanton	

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**June 26, 1787**

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John Bailey served as a juror in the case of Simon Hammond Vs Andrew Bostwick

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Joseph Winter Esq	The sheriff returns the defendant David
Vs	Brooks taken and the other defendant
David Brooks and	not found Ordered the like as to the
Samuel Hay	defendant taken

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**MAYOR'S COURT MINUTES- NEW YORK CITY**  
**Microfilm #1021729**

James Duane - Mayor  
 Richard Varick - Recorder

**July 24, 1787**

Thomas Thomas Vs Albion Cox and George Olive	On motion of Mr. Cozine for the plaintiff ordered that the sheriff return to venire and that he have leave to bring on the trail. Mr. W. S, Livingston for the defendants.
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The jury having withdrawn and being again returned to the bar say that they find for the plaintiff thirty six pounds eighteen shillings and six pence damages and six pence costs.

Zachariah Sickles Vs Samuel Atlee	On motion of Mr. Livingston Attorney for the plaintiff ordered Judgement for want of a plea and that a writ of inquiry issue.
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Thomas Goadsby Vs John Teaylem	The sheriff returns
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Thomas Goadsby qui tam Vs Richard Perkins	The sheriff returns the defendant taken on like motion ordered that the sheriff bring in the body of the defendant sitting the court or be amerced forty shillings and that the defendant plead in seven days after the declaration is filed or Judgement. *
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Medcef Eden Vs Garret Roorback & James Giles	Mr. Giles withdraws his plea of non [?] pleaded in this cause and confesses Judgement to the plaintiff for the debt in the declaration mentioned with costs of suit to be taxed and stay of execution until the first day of November next on motion of Mr. Bond ordered that the same be entered and Judgement confirmed thereon.
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James Giles Vs John Warner	The sheriff returns the defendant not found.
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Joseph Winter Esqr. Vs David Brooks and Samuel Hay	On like motion ordered Judgement for want of a plea and that a writ of Inquiry issue. [Note: Winter was a court attorney]
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Daniel Dunscomb	The sheriff returns the defendant not
Vs	found.
Samuel Atlee	[Note: Dunscomb was a court attorney]

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**August 21, 1787**

Henry Beekman	On motion of Mr. Smith ordered that his
Adsm	appearance for the defendant be
Samuel Atlee	entered.

Thomas Thomas	The sheriff returns the defendants not
Vs	found on the Ca Sa on like motion
George Olive and	ordered that the same be filed.
Albion Cox	

James Giles Esquire	The sheriff returns the defendant not
Vs	found.
John Warner	

Daniel Dunscomb	The sheriff returns the defendant not
Vs	found.
Samuel Atlee	

Joseph Winter Esqr.	The sheriff returns the writ of inquiry
Vs	with the inquisition thereto annexed
David Brooks and	whereby it appears that the plaintiff
Samuel Hay	has sustained damages to forty one
	pounds and eight shillings and six
	pence costs on like motion ordered
	Judgement visi.

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**September 18, 1787**

Thomas Thomas	* The same.
Vs	
Samuel Atlee	

James Giles Esquire	* The same.
Vs	
Hercules Mulligan	

Richard Perkins	On motion of Mr. Bogert on behalf of
Vs	Mr. Troup attorney for the defendent
Thomas Goadsby	ordered that the plaintiff file his
qui tam	declaration by the next term or be
	nonprossed.

James Giles Esqr.	The sheriff returns the defendant not
Vs	found.
John Warner	

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John Murray Jr. Vs Samuel Atlee, James F. Atlee, & Albion Cox	* The same.
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**October 16, 1787**

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Thomas Thomas Vs. Albion Cox	On motion of Mr. Cozine Attorney for the plaintiff ordered that the sheriff return the venire and that the cause come to trial. Mr. W. S. Livingston for the defendant.
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The jury having withdrawn and being again returned to the bar say that they find for the plaintiff seventy pounds damages and six pence costs.

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James Giles Esquire Vs Hercules Mulligan	On like motion ordered Judgement for want of a plea and that a writ of inquiry issue.
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James Giles Esquire Vs John Warner	The sheriff returns the defendant not found.
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**November 6, 1787**

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Thomas Thomas Vs Samuel Atlee	On like motion ordered Judgement for want of a plea for the debt in the declaration mentioned.
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James Giles Esquire Vs Hercules Mulligan	The sheriff returns the writ of inquisition annexed whereby it appears that the plaintiff hath sustained damages to seventeen pounds thirteen shillings and three pence and six pence costs on motion of Mr. Bond for the plaintiff ordered Judgement nisi etc.
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James Giles Esquire Vs John Jackson	* The same.
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John Murray Jr. Vs Samuel Atlee, James F. Atlee, & Albion Cox	The sheriff returns the defendants not found.
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John Baltus Dash Sr.	Mr. Cork Attorney for the plaintiffs
John Baltus Dash Jr.	files a declaration. On his motion
Vs	Ordered that the defendant plead in
James Giles Esquire	seven days after service of a copy of
	the said declaration and thus rule on
	the defendant or Judgement.

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John Baltus Dash Sr.	* The same.
John Baltus Dash Jr.	
Vs	
Samuel Atlee	

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**November 27, 1787**

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Ebenezer Mather	On motion of Mr. Ogilvie Attorney for
Vs	the plaintiff and by consent of Mr.
Thomas Machin	Giles Attorney for the defendant
	ordered that the cause be referred to
	James Targuhar, Gulian Verplanck, and
	Robert Senos or any two of them and
	that they or any two of them make
	report by the first day of next court.

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Samuel Atlee	Mr. Blackly by virtue of a warrant of
Vs	attorney from the defendant to him
Christopher	divited[?] confesses judgement to the
Duyckinck	plaintiff for the sum in the
	declaration mentioned with costs of
	suit to be taxed on like motion ordered
	accordingly.

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Thomas Machin	On motion of Mr. Giles Attorney for the
Vs	plaintiff and by consent of both
Ebenezer Mather	parties and the attornies. It is
	ordered that the cause be referred to
	the final end and determination of
	James Targuhar, Gulian Verplanck, and
	Robert Senos or any two of them and
	that they or any two of them report
	with all convenient speed.

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William Buckle	* The same.
Vs	
Thomas Machin	

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**December 18, 1787**

George Cliland Vs David Brooks, Samuel Atlee, James Atlee, James Giles, & James Grier	The sheriff returns the defendants David Brooks and James Giles taken and the other defendants not found ordered the like as to the defendants taken.
Thomas Goadsby Vs James Tinker	On like motion ordered Judgement for want of a plea and that a writ of inquiry issue.
Samuel Atlee Vs Christopher Duyckinck	The sheriff returns the defendant in custody on Ca Sa on motion of Mr. Giles for the plaintiff ordered that the writ be filled and that the defendant stand committed.
John B. Dash Sr. & John B. Dash Vs James Giles unin etc.	The defendant relinquishes his plea and confesses Judgement for.

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**February 5, 1788**

John Grier, David Brooks, & James Grier Vs John Parsell	The sheriff returns the defendant not found.
Richard Perkins Adsm Thomas Goadsby qui tarn etc	On motion of Mr. Troup for the defendant ordered that the plaintiff be nonprossed for not declaring.
Elizabeth Smith Vs James Giles Esquire	A declaration being filed on motion of Mr. Winter for the plaintiff ordered that the defendant plea in seven days after service of a copy of the said declaration and thus rule on the defendant or judgement.

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**March 4, 1788**

Albion Cox Adsm Bob Birch	On like motion ordered that the plaintiff bring this cause to trial at the next court or be nonprossed.
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John Grier, David Brooks, & James Grier Vs John Parsell	* The same.
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**March 25, 1788**

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Albion Cox Adsm Bob Birch	On motion of Mr. Livingston ordered the plaintiff be nonprossed.
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**May 6, 1788**

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John Grier, David Brooks & James Grier Vs John Parsell	Mr. Cozine by virtue of a warrant of attorney from the defendant confesses judgement to the plaintiffs for the sum of seventeen pounds and nine pence with costs of suit to be taxed on motion of Mr. Bond for the plaintiff ordered that the same be entered and judgement confirmed thereon.
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**June 3, 1788**

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Ebenezer Mather Vs Thomas Machin	* The same.
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Thomas Goadsby Vs Jacob Sharp	* The same.
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John Grier, David Brooks, & James Grier Vs Nathaniel Bowman & Richard Smith	The sheriff returns the defendant Richard Smith taken and the other defendant not found. Ordered the like.
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John Grier, David Brooks, & James Grier Vs Mordeiai Heale	Mr. De Haert by virtue of Warrant of Attorney from the defendant confesses Judgement to the plaintiffs for the debt in the declaration mentioned with costs of suit to be taxed on motion of Mr. Bond for the plaintiffs ordered that the same be entered and Judgement confirmed thereon
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James Giles Esquire Vs Absalom Blackly & Ebenezer Blackly	The sheriff returns the defendant Absalom Blackly taken and the other defendant not found. Ordered the like as to the defendant taken.
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**June 24, 1788**

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William Alexander Vs James F. Atlee	On motion of Mr. De Haert for the plaintiff ordered that the sheriff return the writ by the first day of next court or show cause why an attachment should not issue against him.
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Thomas Goadsby Vs Jacob Sharp	On motion of the same for the plaintiff Ordered judgement for want of a plea.
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Samuel Atlee Vs William Alexander	* The same. Attorney: Giles
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**July 22, 1788**

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Ebenezer Mather Vs Thomas Machin	On motion of Mr. Cozine for the plaintiff ordered Judgement for want of a plea.
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Thomas Goadsby Vs Jacob Sharp	The sheriff having returned the writ of inquiry in this cause with the inquisition annexed whereby the jury find for the plaintiff [blank] damages and six pence costs on motion of Mr. W. S. Livingston ordered judgement nisi
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John Grier, David Brooks, & James Grier Vs Nathaniel Bowman & Richard Smith	On like motion ordered judgement for want of a plea and that a writ of inquiry issue.
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Michael Nestell Vs James Giles Esquire	The declaration in this cause being filed on motion of Mr. Winter ordered that the defendant plead in seven days after service of a copy of the declaration and this rule on the defendant or judgement.
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Isaac Van Gieson Vs James Giles	Mr. Blackly Attorney for the defendant files a declaration and Oyer in this cause on his motion ordered that the defendant plead in seven days after service of a copy of the said declaration and oyer and this rule on the defendant or Judgement.
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**August 5, 1788**

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Thomas Goadsby Vs Luther Baldwin	* The same.
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James Giles Esquire Vs Absalom Blackly Gent. one of the attornies etc.	Mr. Bond Attorney for the plaintiff files a declaration in this cause and on his motion ordered that the defendant plead in seven days after the service of a copy of the said declaration and this rule on the defendant or Judgement.
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John Grier, David Brooks, & James Grier Vs Henry Bicker Jr.	* The same.
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William Buckle Vs Gerardus Duyckinck Junior	The sheriff returns the defendant not found. [The plaintiff also sued Thomas Machin in the November 27, 1787 term.]
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Nicholas De Peyster Vs James Giles Gentleman one of the attornies	On motion of Mr. Cooper Attorney for the plaintiff ordered Judgement for want of a plea and that a writ of inquiry issue
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Jarric Van Gieson Vs James Giles	On motion of Mr. Blackly for the plaintiff ordered Judgement for want of a plea for the debt in the declaration mentioned with costs
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Absalom Blackly impleaded with Ebenezer Blackly alius dictus etc. Vs James Giles	Mr. Blackly in person produces the peoples writ of Habeaus Corpus Cum Causu which was read and filed and on his motion ordered that a return thereof be made accordingly.
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**September 2, 1788**

John Grier, David Brooks, & James Grier Vs Henry Bicker, Jr.	On motion of Mr. Bond for the plaintiff ordered Judgement for want of a plea and that a writ of inquiry issue.
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Isaac Van Gieson Vs James Giles	On motion of Mr. Blackly for the plaintiff ordered Judgement for want of a plea for the debt in the declaration mentioned.
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**September 13, 1788**

John Grier, David Brooks, & James Grier Vs Henry Bicker, Jr.	The sheriff returns the writ of Inquiry in this cause with the Inquisition annexed whereby it appears that the plaintiffs have sustained damages to [blank] and six pence costs. On like motion ordered judgement nisi etc.
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Isaac Van Gieson Vs James Giles	The sheriff returns the defendant not found on Ca. Sa. on motion of Mr. Blackly ordered that the same be filed.
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Nicholas DePeyster Vs James Giles Esq. one of the attornies	The sheriff returns the writ of Inquiry in this cause with the Inquisition annexed whereby it appears that the plaintiff hath sustained damages to twenty two pounds ten shillings and six pence costs on motion of Mr. Cooper for the plaintiff ordered Judgement nisi etc.
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**October 28, 1788**

Ebenezer Mather Vs Thomas Machin	The sheriff returns the defendant not found Ca. Sa. on like motion ordered that the same be filed.
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**November 25, 1788**

James Grier & Others Adsm Albert Ryckman	On motion of Mr. Bond ordered that his appearance for the defendant be entered.
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Albert Rickman	The sheriff returns the defendant James
Vs	Grier taken and the other defendants
James Giles, James	not found on like motion ordered the
Grier, James Atlee,	like as to the defendants taken.
Samuel Atlee, David	
Brooks, & Thomas Matchin	

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**December 13, 1788**

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James Giles Esq.	On motion of Mr. Bond for the plaintiff
Vs	ordered that the sheriff return the
Absalom Blackly	venire and that he have leave to
	proceed with the trial. Proclamation
	made that the defendant appear and
	attend to his challenge or that an
	inquest be taken by default.

The jury having withdrawn and being again returned to the bar say that they find for the plaintiff thirty two pounds nineteen shillings damages and six pence costs.

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**January 13, 1789**

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John Grier, David	The sheriff returns the defendant Simon
Brooks, & James	Nathan taken and the other defendants
Grier	not found on like motion ordered the
Vs	like as to the defendant taken.
Simon Nathan, Aaron	
Pimentel, & Isaac DeCosta	

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James Grier, David	On motion of Mr. Bond ordered that his
Brooks, James Giles,	appearance be entered for the
James Atlee, Samuel	defendants.
Atlee, & Thomas Matchin	
Adsm	
Albert Ryckman	

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Robert Rickman	On motion of Mr. P. R. Livingston for
Vs	the plaintiff and by consent of Mr.
David Brooks, James	Bond for the defendants ordered that
Grier, James Giles,	this cause be referred to John Murray,
James Atlee, Samuel	James Watson, and Joseph Bindon or any
Atlee, & Thomas	two of them and that they or any two of
Matchin	them make report at the next court.

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**February 3, 1789**

John Grier, David Brooks, & James Grier Vs Simon Nathan, Aaron Pimentel, & Isaac DeCosta	On motion of Mr. Bond for the plaintiffs ordered Judgement for want of a plea and that a writ of Inquiry Issue.
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Albert Rickman Vs James Giles, Samuel Atlee, James Atlee, David Brooks, James Grier, & Thomas Machin	On motion of P.R. Livingston for the plaintiff ordered that the rule of reference entered in this cause be vacated and that Judgement be entered for want of a plea.
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**July 14, 1789**

John Grier, David Brooks, James Grier Vs Solomon Myers Cohen	* The same. Mr. Bond attorney for the plaintiffs.
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Isaac Van Gieson Vs James Giles	On motion of Mr. Blackly Attorney for the plaintiff ordered Judgement for want of a plea and that a writ of Inquiry Issue.
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**August 4, 1789**

James Giles Vs Isaac Richards	The sheriff returns the defendant not found.
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Isaac Van Gieson Vs James Giles	The sheriff returns on the fi fa issued in this cause that has seized of the goods and chattels of the defendant to the amount of twenty seven pounds three shillings and three pence.
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**September 1, 1789**

John Grier, David Brooks, & James Grier Vs Andrew Bostwick	* The same.
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John Grier, David Brooks, & James Grier Vs Solomon Myers Cohen	Mr. Cock Attorney for the defendant withdraws his plea and confesses Judgement to the plaintiffs for Thirty five pounds fifteen shillings and eight pence with costs of suit to be taxed on motion of Mr. Bond Attorney for the plaintiffs ordered that the be entered and Judgements confirmed thereon.
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**September 22, 1789**

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John Grier, David Brooks, & James Grier Vs Andrew Bostwick	On like motion ordered Interlocutory Judgement for want of a plea and that a Writ of Inquiry issue.
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**October 20, 1789**

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Richard Varick Esquire, Mayor  
 Samuel Jones, Esquire, Recorder

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Isaac Van Gierson Vs James Giles Gentleman one of the attornies etc.	On motion of Mr. Blackly Attorney for the plaintiff ordered that the record filed in this cause be amended (after the placita and warrant of attorney) in the second line and in the eight word in the same line by striking out the word "York" and inserting the word "Jersey" conformable to the declaration in this suit.
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John Grier, David Brooks, & James Grier Vs Andrew Bostwick	Mr. Cozine pursuant to a warrant of Attorney confesses Judgement to the plaintiffs for thirty seven pounds and nine shillings, with costs of suit to be taxed on motion of Mr. Bond Attorney for the plaintiffs ordered final Judgement accordingly.
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**February 20, 1790**

John Grier, David Brooks, & James Grier Vs Simon Nathan, & Solomon Myers Cohen	The sheriff returns on the Capias in this cause, the defendants taken, on motion of Mr. Bond Attorney for the plaintiffs, ordered that the sheriff bring in the body within eight days and that the defendants plead in seven days after service of a copy of the declaration or judgement.
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**March 2, 1790**

James Giles, Esquire Vs Absalom Blackly who is impleaded with Ebenezer Blackly	On motion of Mr. Winter attorney for the plaintiff Ordered that the proceedings in this cause be read and filed.
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**March 13, 1790**

James Giles, Esqr. Vs Absalom Blackly & Ebenezer Blackly	On motion of Mr. Kesse on behalf of Mr. Winter Attorney for the plaintiff, Ordered that the sheriff return the venire and that he have leave to bring this cause to Trial.
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The Jury without going from the bar say they find a Verdict for the Plaintiff of six pence damages and six pence Costs.

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John Grier, David Brooks, & James Grier Vs Simon Nathan, & Solomon Myers Cohen	On reading and filing a Relicta Verification in this cause by which it appears the Plaintiffs have sustained Damages to thirty one pounds and fifteen shillings. On like motion Ordered Judgement nisi.
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**July 20, 1790**

John Bailey Vs John Stotesborough & Benjamin Thompson	The sheriff returns on the Capias in this Cause the defendant Stotesborough taken, the other defendant Thompson not found, On Motion of the same Ordered that the sheriff bring in the body within eight days and that the Defendants plead in seven days after service of a copy of the Declaration or Judgement.
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**August 17, 1790**

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John Bailey Vs Samuel Gautier	The sheriff returns
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Thomas Goadsby, Joseph Holmes, Thomas Holmes, & Maria Kirkman surviving partners of Samuel Kirkman deceased Vs Frederick Jay	On like motion [final judgement] Ordered interlocutory Judgement for want of a plea.
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**October 15, 1790**

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Richard Harrison Vs James Jarvis	The Sheriff returns the Writ of Inquiry in this Cause with the Inquisition annexed by which it appears the Jury find a verdict for the plaintiff to fifty six pounds four shillings and four pence damages and six pence Costs On motion of Mr. Ker Attorney for the plaintiff Ordered Judgement nisi.
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**November 2, 1790**

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John Bailey Vs John J. Remsen & Samuel Gautier	The sheriff returns on the Capias in this cause the Defendant Gautier taken the other Defendant not found On like motion Ordered that the sheriff bring in the body within eight days and that the Defendants plead in seven days after service of a copy of the Declaration or Judgement.
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**May 31, 1791**

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John Bailey Vs David Roberts	The sheriff returns on the Capias in this cause the Defendant not found.
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**October 18, 1791**

William Gilliland Adsm Samuel & James Atlee	On Motion of Mr. Morris on behalf of Mr. Johnston Attorney for Defendant it is Ordered that the plaintiffs in the above Cause declare by the first day of the next term or that a Non Suit be entered against them And it being Suggested to the Court that the plaintiffs Attorney has left this State and that the plaintiffs do not reside within the Jurisdiction of this Court. It is further Ordered that a Copy of this rule being affixed in the Clerk's office of the City and County of New York be deemed a sufficient service of the same.
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**November 1, 1791**

William Gilliland Adsm Samuel Atlee and James Atlee	On Motion of Mr. Morris on behalf of Mr. Johnston Attorney for the Defendant Ordered that the plaintiffs in this cause be non suited for not declaring.
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**July 10, 1792**

John Bailey Vs Luke Owens	The sheriff returns the Capias in this Cause the Defendant taken. On Motion of Mr. Winter Attorney for the plaintiff Ordered that the sheriff bring in the body within eight days and that the Defendant plead in seven days after service of a copy of the Declaration or Judgement.
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**August 7, 1792**

John Bailey Vs Luke Owens	On like Motion Ordered Interlocutory Judgement for want of a plea.
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**September 4, 1792**

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John Bailey  
Vs  
Francis Elsworth

The sheriff returns the Capias in this Cause the Defendant taken. On Motion of Mr. J. B. Clark Attorney for the plaintiff Ordered that the sheriff bring in the body within eight days and that the Defendant plead in seven days after service of a copy of the Declaration or Judgement.

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John Bailey  
Vs  
Luke Owens

On Reading and filing a Relicta Verification in this cause by which it appears the plaintiff hath sustained Damages to thirty pounds. On motion of Mr. Winter Attorney for the plaintiff Ordered Judgement Nisi.

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## ADDENDUM

### NEW YORK CITY MAYOR'S COURT LEGAL TERM DEFINITIONS

The following are definitions of the legal terms found within the Mayor's Court minutes. They are kindly provided by Michael Hodder, who has studied early English law. The definitions are based upon William Blackstone's *Commentaries on the Law of England*, 1765-1769, 4 volumes.

**Ads or Adsm:** Abbreviation for "Adsum." To be present in a court of justice, as the accused. The opposite of "Versus."

**Amerced:** Fined by the court.

**Capias ad Respondendum:** A writ for the arrest of a person.

**Ca Sa:** Abbreviation for "Capias ad Satisfaciendum." A writ issued to recover the balance of a debt. It would commonly follow a "fieri facias de bonis."

**Declaration:** The opening statement found in the written complaint that rehearsed the reason for bringing the suit.

**Fi Fa:** Abbreviation for "Fieri Facias de Bonis." A writ of execution against the goods and chattels of a defendant, to make good the sum to be recovered. To seize the goods and chattels, the sheriff had to enter a house/office peaceably, but once inside he could break down doors. The goods and chattels that were seized would be sold at sheriff's auction. If the proceeds from the sale were insufficient to pay off the debt, the plaintiff could have for the asking a writ of "Capias ad Satisfaciendum" to recover the balance.

**Habeas Corpus Cum Causa:** A writ that removes both the defendant(s) and the case from the present jurisdiction to a higher one.

**Impleaded:** Joined together in a plea.

**Interlocutory Judgement:** A preliminary judgement in a case evidenced by written depositions in which matters of fact, inheritance, etc. are disputed. A jury is summoned to hear the disputed facts.

**Judgement Nisi:** Judgement was ordered unless the defendant filed for further proceedings.

**Nonprossed:** "Non Prosequitur." A judgement against the plaintiff for not filing his declaration, or for failing to prosecute his case. Usually carried a fine for wasting the court's time.

**Non Sulted:** In a non suit the plaintiff is liable for court costs and any civil fine levied for declining to prosecute. Differs from "non prosequitur" in that the plaintiff deliberately decides not to prosecute, rather than failing to (for lack of evidence, witnesses, etc.) However, the plaintiff did not lose his right to proceed to trial at some future time.

**Not Found:** The sheriff did not find the defendant within his bailiwick. In this situation, the sheriff would write "non est" (He is not [in my bailiwick]) on the back of the returned "capias ad respondendum" writ.

**Oyer:** Requires that the plaintiff's declaration be read aloud to the defendant. Usually used to enable an illiterate to understand the substance of the case against him. Also, ensures that the declaration would not move the case towards judgement without the defendant being personally aware of its contents. It also guards against the false service of a writ.

**Placita:** The plea, for example, the reason for the plaintiff's initiation of the case.

**Qui Tam:** An action arising from a statute resulting in a forfeiture, part of which goes to the plaintiff and part to the state.

**Relicta Verificatio:** Confession of judgement by a defendant after he had entered his plea in defense, accompanied by a withdrawal of his original exculpatory plea.

**Resid[uum]:** The amount of a debt still not satisfied after the service of a "fieri facias de bonis."

**Taken:** The sheriff has arrested the person of the defendant after receiving and serving a "capias ad respondendum." After the arrest the sheriff returns a "cepi corpus," which means "I took his body."

**Venditioni Exponas:** A writ of execution to the sheriff, directing him to make a sale of goods under a "fieri facias de bonis." The writ issues on the return of the "fieri facias de bonis" that the first attempt at sale failed for want of buyers.

**Venire:** "Venire Facias." Empowers the sheriff to impanel a jury of 12 men.

**Vs:** "Versus." In a court of justice, the plaintiff against the defendant.

**Warrant of Attorney:** Empowers the attorney to plead and/or confess judgement for the client.

**Writ of Inquiry:** This writ empowered the sheriff to hold court, and select a jury which determined the amount of damages. The jury's award was legally binding and was added to the case record.

**Writ of Inquisition:** Same as writ of inquiry.

**Writ of Procedendo:** Orders the court to "proceed" with the case without delay and threatens punishment to the sitting judge if he should refuse or cause further delay.